23

File No. 96 | 35
19

Collection No.

Mysore Residency
Bangalore

Pros. Serial Nos. 1 – 8

SN. 35570.
destroyed
14/9/40

Subject.

Special Works Allowance to the Municipal Executive Engineer.

Previous References.

1075/34

Later References.

F. No. 266/36

Indexed

S. 97.—(Blue).

MFP—168S&P—(M-184)—11-8-34—60,000.

Paras 12 & 17
of Notes
destroyed
L
12/8/65

NOTES AND PRECIS.

p.u.c.

Dy.No.286. S.N.1 .

< Cor. pages 26, 49+51 (A) 1

Please see S.Ns. 11 to 13/F.1075-34. page 26 of (A)

2 In the letter sent to the Accountant-General (S.N.11), the position in regard to this special works allowance was stated to be as follows:-

(1) The allowance was sanctioned to Mr.Murphy on account of the additional work and responsibility involved in drawing up and carrying into execution important schemes of improvement in the Civil and Military Station, Bangalore, costing several lakhs.

(2). It was to be paid only for so long as these special works were being carried out and special grants were sanctioned for the financing of them, and was to be charged to the capital grants so sanctioned.

(3) Though this additional remuneration was ordered to be paid in the form of a monthly allowance in the first instance, the basic intention at the time of sanction was that it was not to exceed a sum calculated at 1% of the Government grants.

× S.Ns. 67-69 F.235-12 (R)

(4) The original sanction of 1922 apparently covered the payment of the allowance only for a period of 12 months from 20th May 1922; and the Commission should have therefore obtained renewed sanction for the payment of the allowance at the end of the year. As the intention of the Residency was, however, that Mr.Murphy should be paid an allowance as long as special works were in progress and special grants were sanctioned for the financing of them, such sanction would presumably have been given as a matter of course, provided that the circumstances in which the allowance was originally sanctioned had not ceased to exist. As the Commission failed to apply for such sanction, the payment of the allowance from 20th May 1923 has been irregular, and should therefore be set right.

3 It appears however from the papers now brought to light by the Municipal Auditor, that the sanction of 1922 is not the only sanction accorded by this Residency to the payment of the allowance. There have been other sanctions subsequently accorded -

vide

v i d e

(i) S.Nos. 34 and 35 F. 280-1920 -- 1923;

(ii) S.Nos.62, 63, 76 & 77 F. 280-1920 -- 1925-26;

(iii) S.Nos. 7 and 8 F. 15-1927 -- 1928 &

(iv) S.Nos.11, 17/A & 18 F.280-1920. -- 1929.

4

It must however be mentioned that in all the correspondence referred to above, except in that of 1925-26 (item ii), the question of the allowance to Mr.Murphy was not directly raised: the amount of the allowance was simply incorporated in a proposition statement submitted for Resident's sanction along with other important proposals relating to the revision of the Engineering establishment, without any specific reference to the allowance in question; and it is therefore possible that it might have escaped the notice of this Residency when sanctioning the Commission's proposals. But in 1925-26, the question of this allowance was specifically raised by this Residency and the Commission were asked why the amount of the allowance should not be reduced in view of the fact that the relative importance of the special works remaining to be done had decreased; and it was finally decided to continue its payment at the rate originally sanctioned, "as there was still some designing and supervising work to be done" and an allowance of Rs.250/- per mensem was not considered to be out of proportion to the work to be done. The last occasion on which Resident's formal sanction for the payment of the allowance was obtained appears to have been in 1929 and this sanction covered the payment of the allowance up to 31st March 1930.

Now,

5

Now, the inference to be drawn from these subsequent sanctions, having regard to the circumstances existing at the time they were accorded, is that whatever may have been the original intention in regard to the amount of the allowance and its duration, this Residency has since approved of the continued payment of the allowance at the full rate of Rs.250/- per mensem, irrespective of the amount of the grants that were being paid to the Municipality from year to year. The allowance was paid even during 1927-28 and 1928-29, when there were no grants at all, but incomplete works of previous years were in progress; and one is therefore led to conclude that the intention in subsequent years was to continue the payment of the allowance to Mr.Murphy as long as special works were in progress, whether grants were sanctioned year after year or not. In this view, even payments made after 31-3-1930 (when Resident's last sanction expired) would appear to be in order, provided that special works were still under execution. This takes us to the question as to when special works actually ceased. No grants for special works have been sanctioned by Government since 1930-31, but it appears that works financed from such grants were executed to the extent of Rs.36,373/- during 1930-31 and Rs.50,701/- during 1931-32, and charged to unspent balances remaining out of the special grants made during previous years. The Municipal Auditor also says that according to the accounts maintained by the Municipal Commission, 1931-32 was the last year in which such works were executed.

Vide S.N.11 C.P.29 F.1075-34 (A)

× Vide Intermediate Page 3 of (KK).

Vide Last para of S.N.1 Page

6

In the result, the actual position in regard to this allowance would appear to be that its payment has been in order from 20-5-1922 to 31-3-1932, the period during which special works financed from special grants were under execution;

execution; and that since then (i.e., from 1-4-1932), the payment was made without sanction and was therefore irregular. The Audit Officer says that the Resident can now regularise the payment by according sanction to a personal pay to Mr.Murphy of Rs.250/- per mensem with effect from 1st April 1932.

7

x 2.11.5 (A)
c 5.11
F 1075-34

The question of the amount of the future allowance has also to be settled. The Commission recommend Rs.250/- per mensem; but please see in this connection para (37) of Resident's note dated 24th July 1934.

→ Page 17 of note in F. 1075-34 (A).

For orders.

(From para 1)

K Nayar
12.6.35

T. N. T.
12-2-35.

Secretary.

8

Apart from the merits of the question, technically speaking at least the payment appears to have been sufficiently regularly sanctioned up to 31-3-1932; and the audit officers are prepared to accept this view.

9

It is a pity that the correspondence referred to in para 3 was not brought to notice in the first instance; but I do not hold office much to blame for the omission. The papers were not properly recorded or referenced; even the Municipal Office was unaware of their existence; and our office had taken all reasonable precautions to trace the whole of the recorded correspondence on the subject.

10

I think we may now regularise the position by sanctioning, with effect from 1st April 1932, the personal pay of Rs.250/- per mensem proposed by the Municipal Commission Mr. Murphy's pay and allowances would then be as follows:

follows:-

	Rs.
(1) Pay	850/-
(2) Motor car allowance.	100/-
(3) Personal pay. ..	250/-
(4) Civil Works allowance.	250/-
Total.	1450/-

Of this only items (1), (2) and (3) are paid by the Municipal Commission; and it cannot really be said that Rs.1,200/- per mensem is an excessive sum for them to pay for the services of an Engineer with the qualifications and experience of Mr. Murphy.

Hone

15.2.35.

(from para 1)

11

A. Enclos. to S.N.1 1075/1934

A. " " S.N.5 do

I agree in view of the further papers which have now been brought to light: The Comm^rs have recently passed resolutions on two occasions (February 1934 and April 1934, the latter being passed unanimously) fixing the personal allowance at ~~Rs~~ 250/- p.m. And in their resolution of April 1934 they have specifically stated that this personal allowance is being recommended in view of Mr. Murphy's past services to the Comm^rs & his present additional responsibilities. As it is now clear that the (payment of this personal) allowance was sufficiently regularly sanctioned up to 31.3.1932, I think we may agree to the payment of the Personal allowance & to it's being fixed at 250/- p.m.

27/2/35.

Draft for approval.

K.S.N. 26/2/35 C.G.N.E. 27/2/35

T.N.T. 26/2/35

S. N. 2 (Hone)

D.No.10,315. S.N.(7).

18

The rate-payers in the Station are represented on the Municipal Commission by their elected representatives and it is essentially their duty to voice the grievances of the public. Among the members of the Southern Division Rate-Payers' Association and the Bangalore Rate-payers' Association, there are several elected Municipal Commissioners. Inasmuch as none of these Commissioners has considered it necessary to obtai the required information, even though the President suggested this course, it does not seem necessary for this Residency to furnish such information behind the back of the Commission. If approved, the Association may be informed that the Resident feels that he will not be justified in furnishing to them any information which could legitimately be obtained from the Municipal Commission but which none of the elected representatives of the rate-payers has considered it necessary to obtain.

Cf. para 28 of note in File 1075-34 (A).

Submitted for orders.

Maya
16.4.35

Secretary.

17

We must put a stop to this correspondence, which is becoming almost farcical. The Southern Division Rate-payers' Association is an Association which has to be treated with a very firm hand, because its interference is apt to pass all reasonable bounds and it shows a constant tendency to set itself up as a rival Municipal Commission and to come straight to the Residency with complaints and demands for information about Municipal affairs. The tone of their letters is generally calculated to antagonise the Commission from the outset; and there can be no doubt,

I

S.N 7
c f.15
P.U.C.

I think, that if they had couched their enquiries to the Commission in reasonable form instead of in a series of rather truculent questions (see their question (3) in particular) they would have been given ~~the information that they required~~ a more sympathetic reply. The Bangalore Rate Payers' Association is a more reasonable body. As there are no less than 16 elected Municipal Commissioners who are members of one or other of the two Associations it is absurd for them to suggest that they could not get information about facts from the Commission or that it would be "undignified" for them to approach the Commission. We should be almost justified in taking no notice of the letter; but I think that it is better to give some reply; and I have put up a draft which may perhaps meet the case.

28-11-35

Rep[d]
(from page 18)

I agree that a reply had better be sent. It is perhaps unfortunate that the P.U.C. did not send one. Unless I see any further suggestions I make no further additions to the draft, it may issue as revised.

29/11/35.

Issue as revised by Rep[d]

29.11.35.

S.N.(8) Issue.

Record

CORRESPONDENCE.

CONFIDENTIAL.

S.N.1

No. 135

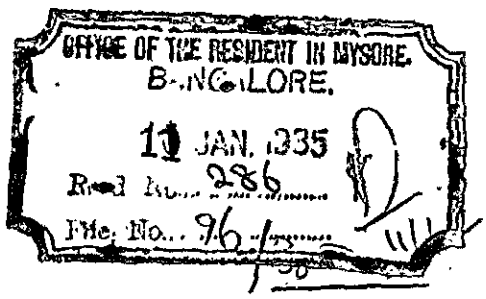
Bangalore,
9th January 1935.

From

M.R. Ry. Rao Sahib, S. Kuppuswami Naidu, Garu, B.A.,
Municipal Auditor, Civil and Military Station,
BANGALORE.

To

The Secretary to the Hon'ble
the Resident in Mysore,
BANGALORE.



Sir,

S.N.13 (A)
F.1075-34

With reference to your confidential endorsement No.F. 1075-35/R.O.II, dated the 29th December 1934, calling for my remarks on the question whether the sanction conveyed in memorandum No.5538/235-12, dated the 10th July 1922, was or was not sufficient to cover the payment to Mr. -- Murphy of the special works allowance of Rs.250/- per mensem from year to year upto 1934, I have the honour to state as follows.

S.N.69 (R)
F.235.12

S.N.11 (A)
F.1075-34
+ page 28

2. It is observed in paragraph 5 of your letter to the Accountant General, Madras, No.1075-34/R.O.II, dated the 16th November 1934, (1) that the sanction quoted above apparently covered the payment of the allowance only for 12 months from the 20th May 1922, (2) that the intention of the Residency may however be taken to have been that the allowance should be paid so long as special works were being carried out and special grants were sanctioned for the financing of them, the allowance being charged against the capital grants for these works calculated at 1% of such grants, and (3) that once the "Special Works" ceased, the case for the grant of the allowance or special pay for such works must also be regarded as having ceased.

3. From the papers before me it is quite clear that the allowance

2

allowance was to be a charge on the grants for Special Works. The question raised therefore involves the consideration of only two points, viz., the period covered, or intended to be covered, by the sanction of July 1922, and the amount of the allowance.

The sanction accorded in July 1922 is for a monthly allowance taking effect from the 20th May 1922. It does not state when it should terminate. The Resident wished that the allowance should commence from the date on which work on the Knoxpet scheme was recommenced on the allotment of Government funds. He was obviously under the impression that the work on the Knoxpet scheme was in abeyance pending receipt of Government grant. The President, Municipal Commission, corrected this erroneous impression in his letter No.Gt.27/17-21, dated the 17/21st June 1922, in which he pointed out that the work had never actually ceased and suggested that the sanction take effect from 20th May 1922, the date on which Government grant for the Knoxpet scheme was actually credited to Municipal funds. The position therefore appears to have been this: that although the work on the Knoxpet scheme was all along in progress and the execution of several other schemes was in contemplation, money could not be found for giving an allowance to Mr. Murphy until Government grants were received. This seems to be the natural inference to be drawn from the remarks of the Secretary to the Resident in his letter No.3903, dated the 3rd May 1922, wherein the effect of the payment of the allowance was stated to be to raise Mr. Murphy's salary to Rs.995/- a month upto 30th June 1922 and to Rs.1030/- a month for the year commencing from 1st July 1922. Mr. Murphy was, in May 1922 drawing pay of Rs.745/- in the scale of 535-35-850. His next increment was due on 1st July 1922. It appears therefore that the intention was not to limit

limit the sanction to one year from 20th May 1922. As a matter of fact, when Mr. Murphy applied for leave in December 1924, i.e., after the expiry of more than one year from 20th May 1922 and even from 1st July 1922, the question discussed was not whether the allowance should not have been stopped, according to the terms or the intention of the sanction of July 1922, but whether Mr. Murphy, or his locum tenens, or both, should draw the allowance during Mr. Murphy's leave.

cf: Para (42) of current note.

Again in 1925, the Resident questioned the necessity for the continuance of the allowance of Rs.250/-, and eventually agreed to let Mr. Murphy draw it - vide correspondence ending with Resident's sanction communicated with Secretary to the Resident's No.1960/280-1920, dated 3rd March 1926.

- S.N.63 (LL); F.280-20 last sentence

* S.N.77 (L) F.280-20

For the above reasons I am of opinion that, apart from the sanction not requiring that the allowance should terminate at any particular date, the intention itself evidently was to pay the allowance so long as special works were carried out from Government grants.

5. As regards the amount of the allowance, there is nothing in the sanction to indicate that it was to be limited to a particular percentage on the grants. The discussion and the resolution of the Municipal Commission, the letter of the President forwarding the resolution, and the final sanction of the Resident accorded in July 1922 - all referred to Rs.250/- per mensem as the allowance. No doubt Rs.250/- was arrived at by taking one per cent of 3 lakhs provided for in the Municipal budget for 1922-23 to complete the Knoxpet scheme. But the Knoxpet scheme

(R)

was

(4

was only one of several important schemes for completing which Mr. Murphy's services were to be utilised "as it was in the interests of the Commission that the schemes evolved by Mr. Murphy should, if possible, be put into execution by him". The grants received from year to year would naturally be varying. In 1922-23 itself, the grant actually received was not 3 lakhs but 3½ lakhs. In 1923-24, it was 4,72,568/-, and so on. The rate of Rs.250/- per mensem or Rs.3,000/- a year, had thus no actual relation to the grant or expenditure of any year. I am therefore inclined to the view that the Resident considered Rs.250/- per mensem to be a reasonable allowance to be given to Mr. Murphy on account of additional work and responsibility thrown on him by planning and executing important schemes, which worked out to only 1 per cent on an outlay of 3 lakhs. The total salary which Mr. Murphy would receive with an allowance of Rs.250/- per mensem appears to have been more prominent in the mind of the Resident than the amount of the separate allowance he should draw for the Special Works. This, I think, explains the remark in the last sentence of the 2nd paragraph of the Secretary to the Resident's letter No.2903, dated the 3rd May 1922, that "it cannot be said that this (total salary) is an excessive sum to pay for an adviser on whose ability depends the laying out of lakhs of rupees".

⊗ S.N.67 (R) F.235-12

In December 1924, when Mr. Murphy applied for leave, it was decided, after a reference to the Pay and Accounts Officer, that the allowance was "special pay" within the meaning of F.R.9 (25). Special pay is a fixed and not a varying allowance, is given as an addition to pay and is paid monthly like pay. The allowance was always however subject to review by the sanctioning authority and could have been stopped

x Para 26 of W F.235-12 (N)

stopped or reduced when circumstances demanded such a course. It was so reviewed in 1925 - vide Secretary to the Resident's No.9115/280-1920, dated 7th November 1925 and confirmed in Secretary to the Resident's No. 1960, dated 3rd March 1926 - and in the absence of revised orders, Audit could not have questioned the payment of the allowance at Rs.250/- per mensem.

This view is further strengthened by the orders of the Resident communicated with Secretary's letter No.4878 /95-1927, dated the 6th June 1929, sanctioning the revision of the Engineering staff of the Municipal Commission. In applying for the sanction, the President enclosed a proposition statement in which provision was also made for the Special Works allowance of Rs.250/- per mensem - vide his letter No.591/29, dated 22nd March 1929. In paragraph 3 of the Secretary to the Resident's letter to the Accountant General, Madras, No.F.1075-34/R.O.II dated the 16th November 1934, it is said that the three letters and the notes referred to in paragraph 1 of that letter comprise the whole sanction for the allowance and that "no other orders have ever been passed". It is however the case that other orders have been passed, viz., the sanctions conveyed in March 1926 and June 1929, which are of the utmost importance in the disposal of the case - under consideration. In forwarding the budget for 1930-31 the sanction of June 1929 was again referred to by the - President, Municipal Commission, vide his letter No.830/30, dated 15th March 1930. If the intention of the Residency was that the payment should have been stopped at any -- particular date or made at a certain percentage, an -- opportunity to express it offered itself when the President

Municipal

(6

Municipal Commission, made his application for revision of the Engineering staff in 1926 and 1929. In fact such an opportunity occurred every year when the appendix to the annual budget containing particulars of Municipal establishments was checked.

6. After carefully weighing all the facts of the case, I am of the opinion that the sanction of July 1922 was not terminable at the end of one year from 20th May 1922 but was effective until "Special Works" ceased and that the allowance to be paid was a fixed sum of Rs.250/- per mensem.

I objected to the payment of the allowance during 1932-33 because the Municipal accounts showed that 1931-32 was the last year in which such works were executed. - There were no special grants given during 1932-33. I therefore wanted that the payment of the allowance during 1932-33 should be regularised with the necessary sanction. The same objection holds good in the case of payments made from April 1933 to date. They would be regularised by the Resident according sanction to a personal pay to Mr. Murphy of Rs.250/- per mensem from 1st April 1932.

I have the honour to be,

Sir,

Your most obedient servant,

Sivaramakrishnan

MUNICIPAL AUDITOR.

SAB.

S.N.5

DEPARTMENT.

BRANCH.

File No. 7

Serial No.

Draft Letter / Memorandum / Telegram

Issued 28-2-35

Class for telegrams: Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

No. Date 19

PROCEEDINGS OF THE HON'BLE THE RESDT. IN MYSORE.

To No. F.96-35 R.O.II Dated 28/2/ 1935.

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	S.N.5 / C.P.11 (A) / F.1075-34
Heading:	
Case or Diary No.	
If post copy of telegram required	
Date of despatch of above	
List of enclosures	

(Code word for telegrams.) S.N.1.

Read:-

(i) Letter No.1779/34, dated the 8th May 1934, from the President, Municipal Commission, Civil and Military Station, Bangalore, forwarding for Resident's confirmation Commission's resolution No.3, dated the 28th April 1934, approving of the grant of a personal allowance of Rs.250/- per mensem to Mr.W.H. Murphy, Municipal Executive Engineer, in lieu of the existing special works allowance, in view of his past services and present additional responsibilities.

(ii) Letter No.135, dated the 9th January 1935, from the Municipal Auditor, Civil and Military Station, Bangalore.

O R D E R.

Under Section 19(1) of the Bangalore Municipal Law, 1887, the Hon'ble the Resident is pleased to sanction, with effect from the 1st April 1932, the grant to Mr.W.H.Murphy, Municipal Executive Engineer, Civil and Military Station, Bangalore, of a personal pay of Rs.250/- (Rupees two hundred and fifty) per mensem.

Mr. Murphy will cease to draw the special works allowance of Rs.250/- with effect from that date.

Close 27/2

To, Secretary to the Resident.

The President, Municipal Commission, & Audr. Genl., Bangalore. The

S. 5.
MGIPC—S1—158(Genl)MFP—(M-1933)—3-5-34—50,000 Pads.

8

The Municipal Auditor,

Civil and Military Stati

Bangalore.

K.N.Narayan
26.2.35

T.M.T
26-2-35

B.

Southern Division Rate-payers Association,

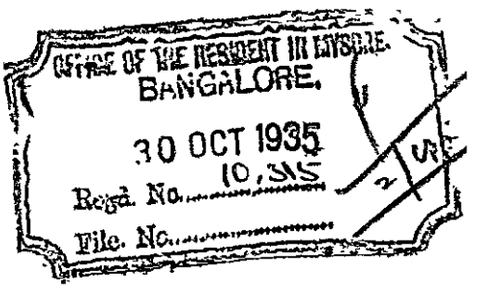
CIVIL & MILITARY STATION, BANGALORE.

(Registered under Act xxi of 1860).

Secretary's Office—"DOVEDALE", REST HOUSE CRESCENT,

Bangalore, the 29th October, 1935.

Ref. No. 417/35.



To

The Secretary to the Hon'ble
The Resident in Mysore.

Sir,

Special Works Allowance of the Municipal Engineer

In your memo No. F. 96-35/R.O.II, dated the 28th August, 1935, this Association was informed that the Hon'ble the Resident's decision on the above question had been communicated to the President, Municipal Commission, and that any enquiries which this Association might wish to make on the subject should be addressed to the Municipal Commission.

2. This Association was unable to understand the unusual procedure indicated in this case, whereby a decision on a matter represented to the controlling authority by a representative and responsible body was to be obtained from the very party against whom the representation had been made. Although this Association felt that this procedure would place it in a very undignified position, it nevertheless followed the instructions given and addressed the President, Municipal Commission, as in its letter No. 397/35, dated the 19th September, 1935, vide copy attached as Annexure A.

3. The President, Municipal Commission, however, declined to furnish the information, vide Annexure B. At the same time, his letter seemed to suggest that the information could be obtained by means of interpellations through a Municipal Commissioner. Rather than trouble you again, the Association applied to the Commissioner for this Division, vide Annexure C, with, however, a negative result, as will

be

be seen from Annexure D. Nor was the Association able to persuade any other Commissioner to table the interpellations.

4. From the enclosure to Annexure C, it will be seen that the information asked for, so far from being " a series of interpellations", was strictly within the limits of the representation on which it was based. In the circumstances, I would respectfully request that the substance of the orders passed by the Hon'ble the Resident on the representation made to him may kindly be intimated to me.

5. In this connection I enclose for the information of the Hon'ble the Resident, a copy of a leaderette on the subject, which appeared in the "Daily Post" of the 22nd October, 1935 - Annexure E.

I have the honour to be

Sir,

Your most obedient servant,

Archaymuda

President,

Southern Division Rate-payers'

Association.

Documents accompanying:-

Annexures A to E.

15

ANNEXURE A.

Letter No.397/35, dated the 19th September '35 to the President, Municipal Commission, C.& M. Station, Bangalore.

Special Works Allowance of the Municipal Engineer.

It is understood that the Hon'ble the Resident has passed orders on the representation made to him by the two Rate-payers' Associations in their letter No.173/34, dated the 30th May '34, a copy of which was sent to you. I am desired by my Committee to request that the orders passed may kindly be communicated to this Association.

2. What they particularly wish to know is :

(1) Whether the allowance is still being paid in any form,

(2) if not, from what date it was discontinued,

(3) how the loss of over Rs.30,000 sustained by the rate-payers is being made good,

(4) whether an extension of service has been granted to the present Municipal Engineer and if so, for hat period.

ANNEXURE B.

Letter No.7266/35, dated the 20th September '35, from the President, Municipal Commission.

Subject:- Special Works of the Municipal Engineer - Your letter No.397/35, dated the 19th. September '35.

I regret I cannot furnish the information asked for by you. Your letter is in effect a series of interpellations which can only be made by a Municipal Commissioner.

ANNEXURE C.

D.O.No.403/35, dated the 28th Sept.'35, to Miss.F.Pereira, Commissioner, No.II Division.

Special Works Allowance of the Municipal Engineer

My Committee will be obliged if you will kindly table the attached interpellations for the next meeting of the Commission and obtain replies thereto.

Enclosure to Annexure C.

Special Works Allowance of the Municipal Engineer

1. Is it a fact that a representation in regard to what was known as the Special Works Allowance of the Municipal Engineer was made in May '34, to the Hon'ble the Resident, by the two Rate-payers' Associations in the Station ?
2. Was that representation referred to the Commission for remarks ?
3. What was the result of that Representation ?
4. Is the allowance still being paid in any form ?
5. If not, from what date was it discontinued ?
6. How is the loss of over Rs.30,000 referred to in the representation being made good ?
7. Is it a fact that an extension of service has been granted to the Municipal Engineer ?
8. If so, for what period ?

ANNEXURE D.

Letter dated the 30th September, '35 from Miss.F.Pereira.

Ref.The interpellations sent to me to day. I might mention that from the papers I noticed that the sister Association was also dealing with these points, and under these circumstances you would be only doing the right

right thing by giving one of the following Commissioners who are members of one or other of these Associations the honour of obtaining this information for you.

(1) Mr.Abdul Lateef.

(2) Mr.Paul.

(3) Mr.Mootham.

(4) Mr.Hutchens.

(5) Mr.Poezold.

(6) Miss.Webster.

(7) Mr.Nagappa. etc.

ANNEXURE E.

Leaderette which appeared in the "Daily Post" of the 2?nd Oct '25.

MUNICIPAL ENGINEER'S SPECIAL WORKS ALLOWANCE.

As we see the above matter, the question of the allowance itself is only of secondary importance. Our perfectly impartial and unprejudiced view is that when information on any subject is asked for by a Rate-payers' Association, such information should be forthcoming- from some source or other. In this instance, the Secretary to the Hon'ble the Resident referred the Association to the P.M.C. who -quite reasonably, for all we know - regretted his inability to supply the information asked for as he considered that such interpellations could only be put by a Commissioner in open meeting. The Commissioner of No.II Division was then approached to table such interpellations and he seems to have suggested that other Commissioners could more properly do so. The latter, however, when approached in their turn , expressed their unwillingness to put any interpellations on the subject. It is simply a question of whether the rate-payers - who provide the money to be expended - can, or cannot, obtain any information with regard to such expenditure, and if the question be answered in the negative, we have

have only to say that we think it an incomprehensible and unnatural state of affairs. Under all the circumstances, we consider the Association quite justified in once more representing the facts to the Hon'ble the Resident.

'All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. ~~F.96-35.~~
R.O.II.

19

FROM

Major C. G. N. Edwards, I.A.,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

Issued
T/12
R.12

To

The President,
Southern Division Rate-payers' Association,
Bangalore.

Dated, Bangalore, the 12th December 1935

~~Subject~~

SIR,

I am directed to acknowledge the receipt of your letter No.417/35, dated the 29th October 1935. It seems scarcely possible that your Committee can be unaware of the fact that the Municipal Commission's Resolution No.3, dated the 28th April 1934, has been confirmed by the Hon'ble the Resident; but in order that there may be no further doubt on the subject I am to inform you that the Hon'ble the Resident, after full consideration of the representations made by your Association and the Bangalore Rate Payers' Association, was pleased to accept the recommendation embodied in the resolution of the Municipal Commission and gave effect to the same, in exercise of the powers vested in him under section 19(1) of the Bangalore Municipal Law, by a formal order dated the 28th February 1935.

S.N.7 c.p.13.
S.N.5. c.p.12 F.1075-34.
S.N.2. c.p.7.

Under Section 19(1) of the Bangalore Municipal Law the question was one for the Resident to decide after consulting the Commission; and in accordance with the usual procedure the Resident's decision was formally communicated to the authorities concerned. It would have been a simple and natural matter for your Association to have made themselves aware of its effect without further reference to the Residency, and on the assumption that this course would be followed the reply contained in my letter No.F.1075-34/R.O.II, dated 8th December 1934, to your Honorary Secretary and Treasurer, was issued.

S.N.11 F.1075-34

It

It appears, however, that the tendentious form in which your request for information was couched made it difficult for the President of the Commission to enter into correspondence on the subject.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

Am.